

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ELENA FEDOROVA,

Plaintiff,

Case No. 1:22-cv-991

v.

Hon. Hala Y. Jarbou

WILLIAM P. FOLEY, II, et al.,

Defendants.

**ORDER**

On August 15, 2023, Magistrate Judge Ray Kent issued a Report and Recommendation (R&R) recommending that the Court grant Defendant Bank of New York Mellon's motion to dismiss or, in the alternative, for summary judgment (ECF No. 75). (See R&R, ECF No. 219.) The magistrate judge also recommended that the Court deny Plaintiff Elena Fedorova's motion to strike the affidavit of Kathryn Corbett (ECF No. 124).<sup>1</sup> Copies of the R&R were mailed to Plaintiff on August 15, 2023. No objections have been filed, and the deadline for doing so has expired. On review, the Court concludes that the R&R correctly analyzes the issues and makes a sound recommendation.

Accordingly,

**IT IS ORDERED** that the R&R (ECF No. 219) is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that Defendant Bank of New York Mellon's motion to dismiss or, in the alternative, for summary judgment (ECF No. 75) is **GRANTED**.

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<sup>1</sup> Kathryn Corbett is the "Vice President (Ginnie Mae Operations – Lead Manager)" at Bank of New York Mellon.

**IT IS FURTHER ORDERED** that Defendant Bank of New York Mellon is **DISMISSED** because Plaintiff fails to state a claim against it.

**IT IS FURTHER ORDERED** that Plaintiff's motion to strike the affidavit of Kathryn Corbett (ECF No. 124) is **DENIED AS MOOT**.

Dated: September 5, 2023

/s/ Hala Y. Jarbou

HALA Y. JARBOU

CHIEF UNITED STATES DISTRICT JUDGE